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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/905,623	07/13/2001	Stuart Asawaka	10011919-1	3732

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EXAMINER

KOYAMA, KUMIKO C

ART UNIT PAPER NUMBER

2876

DATE MAILED: 03/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/905,623	Applicant(s) ASAWAKA, STUART	
	Examiner Kumiko C. Koyama	Art Unit 2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Acknowledgement is made of receipt of Amendment filed on December 03, 2004.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 4, 5, 9-12, 15, 16 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farros et al (US 5,930,810) in view of Maruta et al (US 6,064,838).

Farros teaches a printing system providing an easy to user Graphical User Interface which includes push-buttons displayed on the visual display which may be selected by the user to navigate from one part of the printing system to another, to change the sizes of forms, change fonts, colors and other attributes of forms. Upon selection of the appropriate options to modify the selected form, the user may transmit a print order to the remote printing facility. Upon selection of the appropriate products the user may print the selected and modified product using the local printer, which serves as a printer having a plurality of resources (col 2, lines 60+). The selection of the appropriate products serves as a resource request. Farros also teaches that a production system located at the printing facility decrypts and expands the received files to the extent necessary and controls the routing, printing and shipping of the received order, as well as the necessary billing, including obtaining credit card authorization (col 5, lines 33-40). The

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production system serves as all printer control, print job control and transaction control. Credit card authorization is preferably obtained via the printing facility which receives the user's credit card information in the print order and obtains the necessary authorization from an authorization facility (col 11, lines 28-33). The period it take to access the resources is considered to be the period of allowed right of access to the at least one of the plurality of printer resource. If a resource selection is made as taught above, then the process is considered to an incident of use for the at least one of plurality of printer resources. Farros also teaches that once the user reaches the change screen, other products belonging to the same coordinated set of selected product may be viewed and changed. For example, the "change or remove graphic/logo" block 722 allows the selection of a new logo or the deletion of an existing logo on the layout (col 8, lines 54+). This process serves a request to remove the at least one of plurality of printer resources from the second set and place the at least one of plurality of printer resources in the first set.

Although Farros teaches printer resources, such as sizes, colors, and font, he does not clearly disclose that these printer resources are operational resources. Although Farros discloses necessary billing, he does not specifically mention that the payment transaction includes a charge calculated as a function of the resource request. Farros also fails to teach that the selected at least one printer resource comprises a selected printer resolution.

Maruta discloses that a user sets the appropriate printing conditions such as sheet size, resolution of picture quality, the number of copies, and the like for color cpinter 804. The cost required for the printing operation is determined, and then a printing operation is executed (col 2, lines 25-32).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Maruta to the teachings of Farros such that the user is notified the total printing cost, and the if the user would like to reduce or increase the cost, the user can alter the operational settings. By providing such modification, the user has the flexibility to optimize his/her printing job as well as increasing the quality of the printing according to the money he/she has.

3. Claims 2 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferros in view of Maruta as applied to claims 1 and 9 above, and further in view of Pierce (US 6,202,057). The teachings of Ferros as modified by Maruta have been discussed above.

Farros as modified by Maruta fail to teach that the printer initiates the payment transaction.

Pierce teaches that the printer module initiates a transaction by sending a request for evidence of payment and receives evidence of payment for subsequent printing, which shows a transaction control (col 4, lines 1-9).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Pierce to the teachings of Farros as modified by Maruta such that the printer can request the user the appropriate charge for the use of the printer according to the resources and number of pages the user printed from the printer, and such modification provides a more accurate charge because the payment initiation is done in the printer and not elsewhere.

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Farros as modified by Maruta and Pierce as applied to claim 2 above, and further in view of Narukawa (US

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6,281,978). The teachings of Farros as modified by Maruta and Pierce have been discussed above.

Farros as modified by Maruta and Pierce fail to teach that the printer includes a consumable element, the consumable element including a processing element initiating the payment transaction.

Narukawa teaches an image processing device which is capable of high-speed processing of high-resolution image data by using printer control section composed of a printer head control portion having a first CPU for modulating beams in accordance with image data (col 1 lines 47-52).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Narukawa to the teachings of Farros as modified by Maruta and Pierce and include a consumable element (printer head) and the consumable element including a processing element (an image processing device) in order to provide a high-resolution image data to obtain a good quality and customized printing.

5. Claim 6 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farros as modified by Maruta as applied to claim 4 and 15 above, and further in view of Hayashi (US 6,375,297). The teachings of Farros as modified by Maruta have been discussed above.

Farros as modified by Maruta fail to teach a printer throughput speed.

Hayashi teaches that the instruction receiving section 11 drives the print controller 1 as the information processor before printing commences and in turn the print controller 1 drives its display device to display a selection screen, which contain options of sizes and sorts of printing media, print quality modes (normal mode/high resolution mode), printing speed (moving

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velocity of the recording head), and others. The selection screen is presented to a printer operator or user for selection of his or her desired options (col 7, lines 50-58).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Hayashi to the teachings of Farros as modified by Maruta because Hayashi's teachings contains additional resources not taught by Farros nor Maruta, and therefore by integrating Hayashi into Farros as modified by Maruta, the printer is capable of providing picture or enhanced quality of printing or faster printing capabilities.

6. Claims 7, 8 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farros in view of Maruta as applied to claims 1 and 15 above, and further in view of Nocker (US 6,236,486). The teachings of Farros in view of Maruta have been discussed above.

Farros as modified by Maruta fail to teach that the selected at least one printer resource comprises access to a selected communication channel and the selected communication channel comprises at least one of an IR link and a network link.

Nocker teaches that an optical communication channel is established so that data files and commands may be sent from the data-collection computer 10 directly to the printer 20.

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Nocker to the teachings of Farros as modified by Maruta and provide a communication channel comprising a network link in order to remotely print desired information by sending the information directly to the printer, which make the process faster.

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7. Claims 14 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farros as modified by Maruta as applied to claims 9 and 19 above, and further in view of Freeman (US 6,134,557). The teachings of Farros as modified by Maruta have been discussed above.

Farros as modified by Maruta fails to teach that the transaction control generates a use report for delivery to a resource vendor.

Freeman teaches printing a material supply list and transferring the generated list(s) to the vendor/merchant (col 2, lines 19-20).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Freeman to the teachings of Farros as modified by Maruta in order to inform the vendor which resources have been added to the printing so that the vendor can determine the appropriate charge and can analyze the type of resources that the consumers are demanding for, which leads to better business and accurate analysis.

Response to Arguments

8. Applicant's arguments filed December 03, 2004 have been fully considered but they are not persuasive.

Applicant's submit that "the combination of Farros and Maruta fails to teach, disclose or make obvious the subject matter of independent claims 1, 9 and 19 that each include, in part, a payment transaction 'wherein said payment transaction includes a charge calculated as a function of said resource request.'" The Examiner submitted in the previous office action that although Farros discloses necessary billing, he does not specifically mention that the payment transaction

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includes a charge calculated as a function of the resource request. However, it would have been obvious to one in ordinary skill in the art at the time the invention was made to modify Ferros teachings in view of Maruta. The Examiner submitted that Maruta teaches the cost required for the printing operation is determined, and then the printing operation is executed. In response to such disclosure, Applicant submitted that "Maruta provides absolutely no details whatsoever regarding calculation of the amount to be charged." However, the Examiner respectfully disagrees.

Maruta, as a whole, specifically teaches a printing system that determines or calculates the cost of the printing cost. The cost determination process includes calculating the printing cost per unit. For example, the total amount of printing cost PF is initialized to 0. The cost amount increases depending on the calculation of the unit cost of each sheet size. Then, a sheet type process is performed to calculate the unit cost according to the type of sheet is used. Then, an output color process is carried out which is the calculation of the unit cost of the sheet according to the output color. All costs are totaled to obtain to the final printing cost (See col 23, lines 35-50 of Maruta). The final cost is charged to the user when the start key is depressed (See col 24, lines 25-30) and payment is made (step 816 and 818 on Fig. 34). Therefore, Maruta teaches a payment transaction includes a charge calculated as a function of the resource request.

The Examiner maintains the rejections as set forth above.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

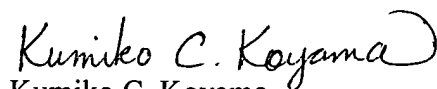
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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kumiko C. Koyama whose telephone number is 571-272-2394. The examiner can normally be reached on Monday-Friday 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Kumiko C. Koyama
February 24, 2005


DIANE I. LEE
PRIMARY EXAMINER